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DATE: August 9, 2004

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TO (Company): USPTO

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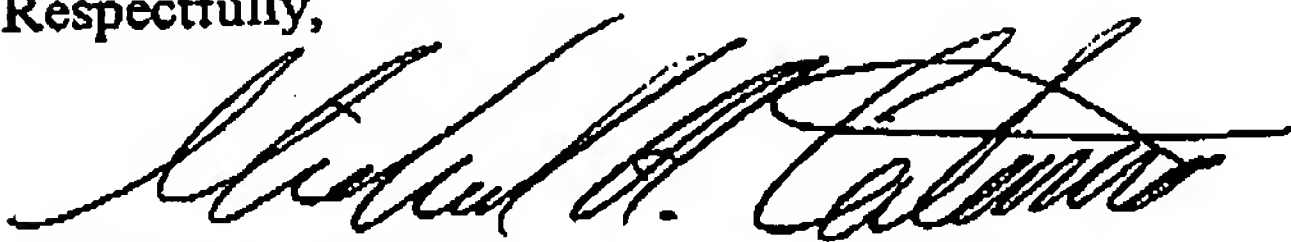
FROM: Michael A. Catania
Senior IP Counsel
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US Utility Patent Application Serial Number: 10/707,024
Filed on: 11/14/2003
Examiner: S. Pasaniti
Group Art Unit: 3711
Attorney Docket No. PU2182

Please see attached Response to Office Action mailed on August 5, 2004 and Terminal Disclaimer.

Respectfully,



Michael A. Catania
Reg. No. 36,474

TRANSMITTAL LETTER (General - Patent Pending)			Docket No. PU2182
In Re Application Of: LEE			
Serial No. 10/707,024	Filing Date 11/14/03	Examiner PASSANITI, S.	Group Art Unit 3711
Title: GOLF CLUB HEAD			

TO THE ASSISTANT COMMISSIONER FOR PATENTS:

Transmitted herewith is:

TERMINAL DISCLAIMER OVER PATENT 6,648,74

In the above identified application.


- ☐ No additional fee is required.
- ☐ A check in the amount of _____ is attached.
- ☒ The Assistant Commissioner is hereby authorized to charge and credit Deposit Account No. **500303** as described below. A duplicate copy of this sheet is enclosed.
- ☒ Charge the amount of **\$110.00**
- ☒ Credit any overpayment.
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Signature

Dated: *August 9, 2004*

MICHAEL A. CATANIA
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CC:

I certify that this document and fee is being deposited on <u>8/9/04</u> with the U.S. Postal Service as first class mail under 37 C.F.R. 1.8 and is addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.	
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SUSAN GLENN Typed or Printed Name of Person Mailing Correspondence	

P16A/REV01

**Terminal Disclaimer To Obviate A Double
Patenting Rejection Over A Prior Patent**

Docket No.
PU2182

In Re Application Of: LEE

Serial No.
10/707,024

Filing Date
11/14/03

Examiner
PASSANITI, S.

Group Art Unit
3711

Invention:
GOLF CLUB HEAD

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Owner of Record: CALLAWAY GOLF COMPANY

OFFICIAL
TO THE ASSISTANT COMMISSIONER FOR PATENTS:

The above-identified owner of record of a 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 to 156 and 173, as presently shortened by any terminal disclaimer, of prior Patent No. 6,648,774. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors and/or assigns.

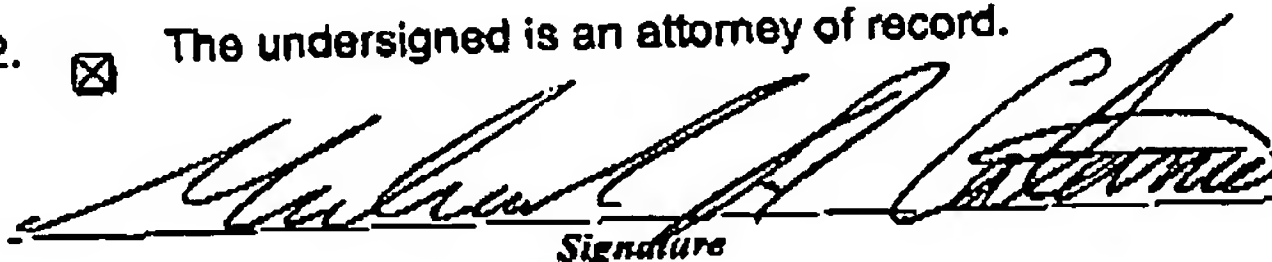
In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 to 156 and 173 of the prior patent, as presently shortened by any terminal disclaimer, in the event that it later expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. 1.321, has all claims cancelled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

Check either box 1 or 2 below, if appropriate.

1. ☐ For submissions on behalf of an organization (e.g., corporation, partnership, university, government agency, etc.), the undersigned is empowered to act on behalf of the organization.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

2. ☒ The undersigned is an attorney of record.


Signature

Dated: August 9, 2004

MICHAEL A. CATANIA
Typed or Printed Name

- ☒ Terminal disclaimer fee under 37 C.F.R. 1.20(d) included.
☒ PTO suggested wording for terminal disclaimer was unchanged.
☐ Certification under 37 C.F.R. 3.73(b) is required if terminal disclaimer is signed by the assignee.

P32/R/V01